United Nations S/2001/1093

Security Council

Distr.: General
20 November 2001

Original: English

## Draft resolution

*The Security Council,*

*Recalling* its resolution 1314 (2000) of 11 August 2000,

*Further recalling* its resolutions 1261 (1999) of 28 August 1999, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1306 (2000) of 5 July 2000, 1308 (2000) of 17 July 2000 and 1325 (2000) of 31 October 2000 and the statements of its President of 29 June 1998 (S/PRST/1998/18), 12 February 1999 (S/PRST/1999/6), 8 July 1999 (S/PRST/1999/21), 30 November 1999 (S/PRST/1999/34), 20 July 2000 (S/PRST/2000/25) and of 31 August 2001 (S/PRST/2001/21),

*Recognizing* the harmful and widespread impact of armed conflict on children and the long-term consequences this has for durable peace, security and development,

*Bearing in mind* the purposes and principles of the Charter of the United Nations and *recalling* the primary responsibility of the Security Council for the maintenance of international peace and security and, in this connection, its commitment to address the impact of armed conflict on children,

*Underlining* the need for all parties concerned to comply with the provisions of the Charter of the United Nations and with international law, in particular those regarding children,

*Having considered* the report of the Secretary-General of 7 September 2001 on the implementation of resolution 1314 (2000) on children and armed conflict,

1. *Expresses*, accordingly, its determination to give the fullest attention to the question of the protection of children in armed conflict when considering the matters of which it is seized;

2. *Expresses* its readiness explicitly to include provisions for the protection of children, when considering the mandates of peacekeeping operations, and reaffirms, in this regard, its readiness to continue to include, where appropriate, child protection advisers in peacekeeping operations;

3. *Supports* the ongoing work of the Secretary General, the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights, other agencies of the United Nations system and other international organizations dealing with children affected by armed conflict;

01-65098 (E) 201101

4. *Expresses* its intention, where appropriate, to call upon the parties to a conflict to make special arrangements to meet the protection and assistance requirements of women, children and other vulnerable groups, including through the promotion of "days of immunization" and other opportunities for the safe and unhindered delivery of basic necessary services;

5. *Underlines* the importance of the full, safe and unhindered access of humanitarian personnel and goods and the delivery of humanitarian assistance to all children affected by armed conflict;

6. *Expresses* its intention to consider taking appropriate steps, in accordance with the Charter of the United Nations, to address the linkages between armed conflict and terrorism, the illicit trade in precious minerals, the illicit trafficking in small arms and light weapons, and other criminal activities, which can prolong armed conflict or intensify its impact on civilian populations, including children;

7. *Undertakes* to consider, as appropriate when imposing measures under Article 41 of the Charter of the United Nations, the economic and social impact of sanctions on children, with a view to providing appropriate humanitarian exemptions that take account of their specific needs and their vulnerability and to minimize such impact;

8. *Calls upon* all parties to armed conflict to:

(a) Respect fully the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict, in particular the Geneva Conventions of 1949 and the obligations applicable to them under the Additional Protocols thereto of 1977, the United Nations Convention on the Rights of the Child of 1989, the Optional Protocol thereto of 25 May 2000, and the amended Protocol II to the Convention on Prohibition or Restriction on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, the International Labour Organization Convention No. 182 on the Elimination of the Worst Forms of Child Labour and the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, and notes the inclusion as a war crime in the Rome Statute of the conscription or enlistment of children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities;

(b) Provide protection and assistance to refugees and internally displaced persons, the majority of whom are women and children, in accordance with applicable international norms and standards;

(c) Take special measures to promote and protect the rights and meet the special needs of girls affected by armed conflict, and to put an end to all forms of violence and exploitation, including sexual violence, particularly rape;

(d) Abide by the concrete commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict, as well as relevant United Nations bodies, to ensure the protection of children in situations of armed conflict;

(e) Provide protection of children in peace agreements, including, where appropriate, provisions relating to the disarmament, demobilization, reintegration

and rehabilitation of child soldiers and the reunification of families, and to consider, when possible, the views of children in those processes;

9. *Urges* Member States to:

(a) Put an end to impunity, prosecute those responsible for genocide, crimes against humanity, war crimes, and other egregious crimes perpetrated against children and exclude, where feasible, these crimes from amnesty provisions and relevant legislation, and ensure that post-conflict truth-and-reconciliation processes address serious abuses involving children;

(b) Consider appropriate legal, political, diplomatic, financial and material measures, in accordance with the Charter of the United Nations, in order to ensure that parties to armed conflict respect international norms for the protection of children;

(c) Consider, where appropriate, measures that may be taken to discourage corporate actors, within their jurisdiction, from maintaining commercial relations with parties to armed conflicts that are on the Security Council's agenda, when those parties are violating applicable international law on the protection of children in armed conflict;

(d) Consider measures against corporate actors, individuals and entities under their jurisdiction that engage in illicit trade in natural resources and small arms, in violation of relevant Security Council resolutions and the Charter of the United Nations;

(e) Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict and the International Labour Organization Convention No 182 on the Elimination of the Worst Forms of Child Labour;

(f) Consider further steps for the protection of children, especially in the context of the International Decade for a Culture of Peace and Non-violence for the Children of the World (2001-2010);

10. *Requests* the Secretary-General to:

(a) Take the protection of children into account in peacekeeping plans submitted to the Security Council, inter alia, by including, on a case-by-case basis, child protection staff in peacekeeping and, as appropriate, peace-building operations and strengthening expertise and capacity in the area of human rights, where necessary;

(b) Ensure that all peacekeeping personnel receive and follow appropriate guidance on HIV/AIDS and training in international human rights, humanitarian and refugee law relevant to children;

(c) Continue and intensify, on a case-by-case basis, monitoring and reporting activities by peacekeeping and peace-building support operations on the situation of children in armed conflict;

11. *Requests* the agencies, funds and programmes of the United Nations to:

(a) Coordinate their support and assistance to parties to armed conflict in fulfilling their obligations and commitments to children;

(b) Take account of ways of reducing child recruitment that is contrary to accepted international standards when formulating development assistance programmes;

(c) Devote particular attention and adequate resources to the rehabilitation of children affected by armed conflict, particularly their counselling, education and appropriate vocational opportunities, as a preventive measure and as a means of reintegrating them into society;

(d) Ensure that the special needs and particular vulnerabilities of girls affected by armed conflict, including those heading households, orphaned, sexually exploited and used as combatants, are duly taken into account in the design of development assistance programmes, and that adequate resources are allocated to such programmes;

(e) Integrate HIV/AIDS awareness, prevention, care and support into emergency, humanitarian, and post-conflict programmes;

(f) Support the development of local capacity to address post-conflict child rehabilitation and reintegration concerns;

(g) Promote a culture of peace, including through support for peace education programmes and other non-violent approaches to conflict prevention and resolution, in peace-building activities;

12. *Encourages* the international financial institutions and regional financial and development institutions to:

(a) Devote part of their assistance to rehabilitation and reintegration programmes conducted jointly by agencies, funds, programmes and State parties to conflicts that have taken effective measures to comply with their obligations to protect children in situations of armed conflict, including the demobilization and reintegration of child soldiers, in particular those who have been used in armed conflicts contrary to international law;

(b) Contribute resources for quick-impact projects in conflict zones where peacekeeping operations are deployed or are in the process of deployment;

(c) Support the efforts of the regional organizations engaged in activities for the benefit of children affected by armed conflict, by providing them with financial and technical assistance, as appropriate;

13. *Urges* regional and subregional organizations and arrangements to:

(a) Consider establishing, within their secretariats, child protection mechanisms for the development and implementation of policies, activities and advocacy for the benefit of children affected by armed conflict, and consider the views of children in the design and implementation of such policies and programmes where possible;

(b) Consider including child protection staff in their peacekeeping and field operations and provide training to members of such operations on the rights and protection of children;

(c) Take steps leading to the elimination of cross-border activities deleterious to children in times of armed conflict, such as the cross-border recruitment and abduction of children, the sale of or traffic in children, attacks on

camps and settlements of refugees and internally displaced persons, the illicit trade in precious minerals, the illicit trafficking in small arms and light weapons, and other criminal activities;

(d) Develop and expand regional initiatives to prevent the use of child soldiers in violation of international law and to take appropriate measures to ensure the compliance by parties to armed conflict with obligations to protect children in armed conflict situations;

14. *Requests* the Secretary-General to continue to include in his written reports to the Council on conflict situations his observations concerning the protection of children and recommendations in this regard;

15. *Requests* the Secretary-General to submit a report to the Council by 31 October 2002 on the implementation of this resolution and of resolutions 1261 (1999) and 1314 (2000);

16. *Requests* the Secretary-General to attach to his report a list of parties to armed conflict that recruit or use children in violation of the international obligations applicable to them, in situations that are on the Security Council's agenda or that may be brought to the attention of the Security Council by the Secretary-General, in accordance with article 99 of the Charter of the United Nations, which in his opinion may threaten the maintenance of international peace and security;

17. *Decides* to remain actively seized of this matter.

United Nations A/56/640–S/2001/1094

# General Assembly
# Security Council

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21 November 2001

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**General Assembly**
**Fifty-sixth session**
Agenda item 68
**Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe**

**Security Council**
**Fifty-sixth year**

## Letter dated 19 November 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

Upon instruction from my Government, I have the honour to convey herewith the text of the statement by H.E. Mr. Boris Trajkovski, President of the Republic of Macedonia, dated 16 November 2001 following the adoption of the constitutional amendments to the Constitution of the Republic of Macedonia by the Assembly of the Republic of Macedonia (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda item 68, and of the Security Council.

(*Signed*) Srgjan **Kerim**
Ambassador
Permanent Representative

01-65284 (E) 211101

## Annex to the letter dated 19 November 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

### Statement of the President of the Republic of Macedonia

I have the pleasure to welcome the adoption of the changes to the Constitution by the Assembly of the Republic of Macedonia, in the early morning hours today.

Allow me:

- To congratulate the members of the Parliament who voted — to those that voted in favour, to those that voted against and to those that abstained. Their participation in this process showed that our democratic values and ideals have prevailed over the law of violence.
- To thank our friends from the international community who showed patience and worked with us in this endeavour.
- To congratulate the leaders of the other parties for their work and commitment in achieving peace during the whole process. This victory belongs to all the citizens of the Republic of Macedonia.

We have a great deal of work before us. We must immediately re-establish the sovereignty and the rule of law throughout the whole territory of Macedonia. We must ensure the return of the displaced persons to their homes before the start of winter. We must reconstruct their homes and repair the infrastructure. We must ensure the return of the children to school. We must initiate the process of healing and the overcoming of differences. We must never forget what happened to our country during this year, but we must learn to forgive and continue to step forward in the realization of the tasks ahead of us.

We now call upon the international community to help. We have fulfilled our share of commitments; now they have to fulfil their share. We expect an unreserved support and involvement from the international community for the return of the security forces to the crisis regions. We call for the early organization of the donors' conference that was promised. We must renew our shattered economy, and that conference would mark only the beginning of the process. We renew our call on the international community for the recognition of our constitutional name: Republic of Macedonia. This would represent a true support to our sovereignty and identity, and a huge contribution to lasting stability in the region.

We have welcomed the position of the United States of America that it will characterize all future acts of armed provocation by Albanian groups in Macedonia as acts of terrorism. We call upon all those that think that violence is a solution to the problems, to lay down their arms and to reintegrate in the community. Fighting has no logic. Violence is not a response; economic development is.

From now on we shall be focused on the bright future of Macedonia. Economic development is crucial to our success, and will once again make us a factor of stability. Macedonia and all its citizens must focus on economic reforms, the fight against corruption, attracting foreign capital and the enhancement of regional cooperation. Macedonia is deeply convinced that membership in Euro-Atlantic integration, in the North Atlantic Treaty Organization (NATO) and in the European

Union are necessary preconditions to its stability, security and development. We will complete our indispensable obligations for membership and we call upon the international community to assist us in the realization of our goals.

The courage shown by the members of Parliament in adopting this huge decision, in very difficult circumstances, makes me confident that Macedonia is on the right path.

United Nations S/200

Security Council

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21 November 2001

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## Letter dated 16 November 2001 from the Secretary-General addressed to the President of the Security Council

The mandate of my Special Representative for the Great Lakes Region, Berhanu Dinka, will be expiring on 31 December 2001. As members of the Security Council are aware, Mr. Dinka has been soliciting the views of countries in the region regarding the proposed organization of an International Conference on the Great Lakes; representing me at meetings and deliberations under the Arusha peace process on Burundi; and addressing the regional dimensions of the conflict in the Democratic Republic of the Congo through, among others, close interaction with my Special Representative in that country.

Opinion seems to be gaining within and outside Africa that the time to intensify efforts for the proposed International Conference on the Great Lakes is fast approaching. I have transmitted to the leaders of the region a concept paper prepared by Mr. Dinka on the organization of the conference and have sought their views and comments on it. I have asked Mr. Dinka to consult with the leaders on the matter and to submit to me his assessment and proposals on the way to proceed.

It is my intention to extend the mandate of my Special Representative for the Great Lakes Region until 31 December 2002. I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

01-65423 (E) 211101

United Nations S/2001/1096

# Security Council

Distr.: General
21 November 2001

Original: English

## Letter dated 21 November 2001 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 16 November 2001 (S/2001/1095) concerning your intention to extend the appointment of Berhanu Dinka as your Special Representative for the Great Lakes Region until 31 December 2002 has been brought to the attention of the members of the Security Council. They take note of the intention contained in your letter.

(*Signed*) Patricia **Durrant**
President of the Security Council

01-65429 (E) 211101

United Nations S/2001/1097

Security Council

Distr.: General
21 November 2001

Original: English

## Letter dated 16 November 2001 from the Secretary-General addressed to the President of the Security Council

As members of the Security Council are aware, since its establishment on 15 April 1995, the United Nations Political Office for Somalia (UNPOS) has been assisting my efforts to advance the cause of peace and reconciliation in Somalia through contacts with Somali leaders, civic organizations and the States and organizations concerned. UNPOS has also monitored closely the situation in and relating to Somalia and assisted me in providing periodic briefings and written reports to the Council. Furthermore, in the period following September 1999, UNPOS made sustained efforts in support of the initiative taken by the Government of Djibouti that led to the formation of the Transitional National Government of Somalia, an important milestone in the search for peace and reconciliation in that country.

In my report dated 11 October (S/2001/963), I informed the Security Council that, given the current security condition in Mogadishu, it was not possible for me to recommend the deployment of a post-conflict peace-building mission in Somalia. I also informed the Council that I would continue to monitor the situation, and that when the security situation allowed for the establishment of such a mission, I would submit a detailed proposal to the Council. In the meantime, I proposed that the mandate of UNPOS be renewed for another two years (2002-2003).

In the statement by the President of the Security Council of 31 October 2001 (S/PRST/2001/30), members of the Council requested me to take a number of steps in support of the peace process in Somalia and to report to them at least every four months on the implementation of those efforts. They also requested me to consider the scope for adjustments, as appropriate, to the mandate for UNPOS.

Given the important and essential role of UNPOS, it is my intention to continue its activities for the biennium 2002-2003, at the current resource level, pending an improvement in the security situation that would allow me to submit a proposal for the establishment of a peace-building office in Somalia.

I should be grateful if you could bring the present letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

01-65435 (E) 211101

United Nations S/2001/1098

# Security Council

Distr.: General
21 November 2001

Original: English

## Letter dated 21 November 2001 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 16 November 2001 (S/2001/1097) concerning your decision to continue the activities of the United Nations Political Office for Somalia for the biennium 2002-2003 has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter.

(*Signed*) Patricia **Durrant**
President of the Security Council

01-65441 (E) 211101

United Nations A/56/641–S/2001/1099

General Assembly
Security Council

Distr.: General
21 November 2001

Original: English

**General Assembly**
**Fifty-sixth session**
Agenda items 42 and 166

**Security Council**
**Fifty-sixth year**

**The situation in the Middle East**

**Measures to eliminate international terrorism**

## Letter dated 19 November 2001 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General

I have the pleasure of enclosing the press communiqué of the twenty-fifth special session of the Ministerial Council of the Cooperation Council for the Gulf Arab States, held at Jeddah, Saudi Arabia, on 23 September 2001 (see annex).

I would appreciate your issuing the present letter and its annex as a document of the General Assembly, under agenda items 42 and 166, and of the Security Council.

(*Signed*) Jassim M. **Buallay**
Ambassador
Permanent Representative

01-65298 (E) 231101

## Annex to the letter dated 19 November 2001 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General

[Original: Arabic]

## Press communiqué issued by the Ministerial Council of the Gulf Cooperation Council at its twenty-fifth special session, held in Jeddah on 23 September 2001

On Sunday, 23 September 2001, the Ministerial Council of the Gulf Cooperation Council (GCC) held its twenty-fifth special session in Jeddah, Saudi Arabia, under the chairmanship of His Excellency Sheikh Mohammed Bin Mubarak Al Khalifa, Minister for Foreign Affairs of the State of Bahrain and Chairman-in-Office of the Ministerial Council.

The Ministerial Council considered with deep concern the grievous consequences of the devastating attacks on economic and governmental establishments in the United States of America. It voiced its censure and condemnation of these savage acts of terrorism and conveyed its condolences and sympathy to the Government and people of the United States of America and to the families of the victims.

The Ministerial Council affirmed that the GCC States would support and would cooperate fully in international efforts to identify the perpetrators of the terrorist acts and bring them to justice.

In this connection, the Ministerial Council commended the fact that the President of the United States had called upon Americans not to mistreat Arab and Muslim citizens or residents of the country and that he had stated that Islam was a religion of peace and love and one that rejected violence and forbade the killing of innocents and civilians.

The Ministerial Council urged the Security Council and the co-sponsors of the peace process, the United States and the Russian Federation, as well as the European Union and its member States, not to allow preoccupation with the multitude of complications caused by the events in question to prompt disregard for the State terrorism that the Government of Israel practises against the Palestinian people or for its dangerous escalation of the situation in the region. The Council alerted the international community to the need for it to meet its responsibilities and to do its utmost to make strenuous efforts to halt the violence and Israel's savage practices, to ensure the provision of international protection to the Palestinian people and to end the occupation of all the Arab and Palestinian territories.

The Council expressed its sincere wishes for Almighty God to grant a speedy recovery to His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of the State of Kuwait, and to accord him bountiful good health so that, together with his brother leaders of the GCC States, he may maintain the propitious course of the Gulf Cooperation Council.

United Nations A/56/642–S/2001/1100

General Assembly
Security Council

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23 November 2001
English
Original: English/French

**General Assembly**
**Fifty-sixth session**
Agenda items 41 and 42

**Question of Palestine**

**The situation in the Middle East**

**Security Council**
**Fifty-sixth year**

# Report of the Secretary-General*

## I. Introduction

1. The present report is submitted in pursuance of General Assembly resolution 55/55 of 1 December 2000 on the peaceful settlement of the question of Palestine.

2. On 19 July 2001, the Secretary-General, pursuant to the request contained in paragraph 9 of the above-mentioned resolution, addressed the following letter to the President of the Security Council:

> "I have the honour to refer to resolution 55/55, which the General Assembly adopted on 1 December 2000, at its fifty-fifth session, under the agenda item entitled 'Question of Palestine'.
>
> "In paragraph 9 of the resolution, the General Assembly '*request*[ed] the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter'.
>
> "In order to fulfil my reporting responsibilities under this resolution, I should be grateful if you kindly convey to me the views of the Security Council by 28 September 2001."

3. On 28 September 2001, the following reply was received from the Security Council:

> "The members of the Security Council are following with grave concern the tragic deterioration of the situation in the Middle East. They strongly condemn all acts of terrorism and violence and urge the parties to apprehend and punish the perpetrators. They call for the immediate cessation of violence and for the resumption of political dialogue towards the aim of achieving a just, lasting and comprehensive settlement between the Israeli and Palestinian sides. They urge all parties to fully respect the commitments they have assumed under existing agreements. They urge all parties to scrupulously abide by their legal obligations and responsibilities under international law, in particular humanitarian law.
>
> "In resolution 1322 (2000), adopted on 7 October 2000, the members of the Security Council expressed their deep concern at the tragic events that had led to numerous deaths and injuries, mostly among Palestinians. They reaffirmed that a just and lasting solution to the Arab and Israeli conflict must be based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, through an active negotiating process. They called for the immediate resumption of negotiations within the Middle East peace process on its agreed basis with the aim of achieving an early

* The present report has been submitted after the established deadline in order to include as much updated information as possible.

01-65393 (E) 261101 271101

final settlement between Israeli and Palestinian sides and urged the two sides to cooperate in those efforts. They reaffirmed the need for full respect by all of all of the Holy Places and condemned any behaviour to the contrary. They called for the immediate cessation of violence, and for all necessary steps to be taken to ensure that violence ceased and that new provocative actions were avoided.

"They also welcomed the publication of the Mitchell Committee report in May 2001. They fully supported all its recommendations and called upon the parties immediately to begin the steps required to implement the recommendations, including those on confidence-building measures. Many also expressed their belief that a third-party monitoring, accepted by both parties, would serve their interest in implementing the report.

"The members of the Security Council are more than ever determined to follow the ongoing efforts towards a just, lasting and comprehensive final settlement between the Israeli and Palestinian sides and to provide it with the necessary support. In that connection, they express their full backing to all efforts, in particular the work of the Secretary-General and his special envoy in the region, to bring violence to an end, resume political dialogue, rebuild confidence and advance the prospects for a just and lasting peace. In this respect, they declare their full support for the recent contacts between the parties at a high level."

4. In notes verbales dated 18 and 24 July 2001 to the parties concerned, the Secretary-General sought the positions of the Governments of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, as well as the Palestine Liberation Organization, regarding any steps taken by them to implement the relevant provisions of the resolution. As at 15 November 2001, the following replies had been received:

**Note verbale dated 26 September 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General**

"As the Secretary-General is aware, Israel voted against this resolution, as well as against similar resolutions adopted by the General Assembly in previous sessions. In the light of the urgent need to bring an end to all acts of violence and terrorism in the region and to return to the agreed negotiating process, Israel wishes to put on record, once again, its position on this matter.

"Israel views the aforementioned General Assembly resolution not only as being unbalanced, but also as an undue interference in matters which the parties have agreed to resolve within the context of direct bilateral negotiations.

"The current violence in the region is a result of a Palestinian decision to abandon peace negotiations and pursue their goals through violence and terrorism. The one-sided approach reflected in the resolution, which seeks to dictate the outcome of the negotiating process, effectively rewards violence at a time when the Palestinian side should be compelled to renounce all acts of violence and terrorism and return to the path of peaceful dialogue."

**Note verbale dated 17 October 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General**

"General Assembly resolution 55/55 is the main political resolution regarding the question of Palestine, and it was adopted during the fifty-fifth session by an overwhelming majority (149-2-3), reflecting the firm convictions of the international community with regard to the content and meaning of the resolution. The Assembly has adopted a similar text in recent years also by overwhelming majorities, conveying a long-established position by the international community on the issue. This resolution recalls several principles of international law and of the Charter of the United Nations, provides support for the peace process and for implementation of the agreements reached and also sets forth the basis for the just settlement of the question of Palestine, which is indeed the crux of the Arab-Israeli conflict. The resolution emphasizes as well the importance of a more active and expanded role for the United Nations in this process. In sum, the resolution should serve as an acceptable basis for all parties to address and resolve these important issues.

"In addition to the reaffirmation of principles regarding the question, resolution 55/55 addresses the deterioration of the situation

on the ground in the Occupied Palestinian Territory, including Jerusalem, and the difficulties facing the Middle East peace process. In the resolution, the General Assembly expresses its deep concern over the tragic events in Occupied East Jerusalem and the Occupied Palestinian Territory since 28 September 2000. Moreover, it calls upon the concerned parties, the co-sponsors of the peace process and other interested parties, as well as the entire international community, to exert all the necessary efforts and initiatives to immediately reverse all measures taken on the ground since 28 September 2000, in implementation of the Sharm el-Sheikh understandings and to ensure a successful and speedy conclusion of the peace process. However, the situation on the ground has continued to deteriorate due to the refusal of the Israeli side to implement the understandings and its failure to adhere to prior agreements reached between the two sides and to implement overdue positions in this regard.

"The dramatic decline of the situation on the ground over the past year has been characterized by an excessive and indiscriminate use of force by the Israeli occupying forces against Palestinian civilians, including children. The bloody military campaign waged by the occupying Power has resulted in the killing of more than 680 Palestinians as of the date of this note. Many of these killings have been wilful killings and targeted assassinations. Further, more than 25,000 Palestinians have been injured, many severely and permanently disabled. The Israeli occupying forces have also caused extensive destruction to Palestinian land, homes and infrastructure. In addition, Israel, the occupying Power, has imposed severe restrictions on the movement of persons and goods into and out of the Occupied Palestinian Territory, causing vast destruction to the already fragile Palestinian economy. The actions taken by the occupying Power in the course of its bloody military campaign constitute grave breaches of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, and thus qualify as war crimes. Further, the occupying Power has also committed actions of State terrorism and other serious violations of international law.

"The actions and measures taken by Israel, the occupying Power, have also violated relevant resolutions of the United Nations, including of the Security Council. In its resolution 1322 (2000) of 7 October 2000, the Council deplored the provocation carried out at Al-Haram Al-Sharif in Jerusalem on 28 September 2000 and the subsequent violence throughout the territories occupied by Israel since 1967, which resulted in many Palestinian deaths and injuries. It also condemned acts of violence, especially the excessive use of force against Palestinians, and called for the immediate cessation of violence and for the establishment of a mechanism for a speedy and objective inquiry into the tragic events with the aim of preventing their repetition. The Council also invited the Secretary-General to continue to follow the situation and keep it informed.

"Israel, the occupying Power, did not comply with any of the provisions of the resolution. Rather it escalated its military campaign against the Palestinian people and continued with its military blockade, siege and even shelling of Palestinian towns and cities using tanks, helicopter gunships and fighter jets. In the light of this escalation and due to the inability of the Security Council to take action to bring an end to the escalation of this dangerous situation, the tenth emergency special session of the General Assembly resumed to consider the situation. The Assembly adopted resolution ES-10/7 on 20 October 2000, in which, inter alia, it stressed the urgent need for providing protection for the Palestinian civilians in the Occupied Palestinian Territory, condemned acts of violence, especially the excessive use of force by the Israeli forces against Palestinian civilians, called for the reversal of all measures taken since 28 September 2000, and called for the prevention of acts of violence by Israeli settlers. The Assembly also supported the establishment of a mechanism of inquiry into the events, as well as the efforts of the Secretary-General, including his efforts for the establishment of a commission of inquiry.

"The Fact-Finding Committee established was formed by the United States of America, in consultation with the two sides as well as the Secretary-General, in accordance with the understanding reached at the Summit of Sharm

el-Sheikh. The Committee was established to determine what had happened since 28 September 2000 and how to avoid it from recurring in the future. The Sharm el-Sheikh Fact-Finding Committee presented its report, which came to be known as the Mitchell report, to the President of the United States on 30 April 2001. The report was also shared with the Secretary-General and the Palestinian and Israeli sides.

"The Israeli Government never wholeheartedly endorsed or accepted the recommendations contained in the report of the Fact-Finding Committee, especially that which called for a cessation of all Israeli settlement activity. In fact, Israel resisted any efforts by all parties that aimed at the full and speedy implementation of the recommendations. The Palestinian side, on the other hand, endorsed the Mitchell report and even proposed a high-level meeting for the participants of the Sharm el-Sheikh Summit to consider the Fact-Finding Committee's report and the implementation of its recommendations. The Palestinian side considers the report to be an important platform for guiding the necessary actions for ending the tragic situation and reviving the Middle East peace process.

"Palestine expresses its appreciation for the important role played by the Secretary-General in this regard. Palestine welcomed his participation in the Sharm el-Sheikh Summit of 17 October 2000, as well as the efforts he exerted during his visit to the region. The Secretary-General's participation, on behalf of the United Nations, has been essential for reaffirming the important role of the Organization in the efforts to end the deterioration of the situation on the ground and to resume the peace process negotiations towards a final settlement. Unlike the constructive role undertaken by the Secretary-General, the Security Council unfortunately failed to follow up resolution 1322 (2000), especially with regard to the establishment of an observer force to bring calm to the situation on the ground and prevent its further deterioration.

"As noted, the past year since the adoption of resolution 55/55 has witnessed the severe deterioration of the situation on the ground in the Occupied Palestinian Territory, including Jerusalem, which has seriously damaged the peace process and threatened the stability of the region as a whole. Recently, however, several important players on the international level have been sending encouraging signals, creating an almost unanimous position in support of the Palestinian State and intensifying the efforts to revive the peace process and bring it to a successful conclusion. What are needed now are not only serious efforts to implement the Mitchell report's recommendations, but also a new dynamism to ensure the achievement of a final settlement in a speedy manner. The United Nations could and should be of great assistance in this regard.

"In this connection, it should be reaffirmed that the many principles and components of the important resolution entitled 'Peaceful settlement of the question of Palestine', including principles of international law and the Charter of the United Nations, remain valid and essential in the search for a just and lasting solution to the decades-long question of Palestine. Respect for and adherence to such principles will ensure the success of the parties in arriving at a peaceful settlement of the question of Palestine."

## II. Observations

5. It is a matter of grave concern that the present Israeli-Palestinian crisis has entered its second year with an escalation of violence, while the peace process remains stalled despite many international efforts to revive it. Tensions have increased constantly in the past year, which has been marked by a vicious cycle of violence and retaliation. In fact, we are dealing with the worst crisis in the Middle East since the 1993 Oslo Agreement.

6. In view of the seriousness of the situation, I have devoted a great deal of personal attention to this issue. I have maintained close and regular contacts with the parties and other leaders in the region and the international community to find a way forward. In my previous report on the question of Palestine (A/55/639-S/2000/1113), I informed the members of the General Assembly and the Security Council of the Summit meeting in Sharm el-Sheikh, Egypt, which was jointly chaired by Presidents Mubarak and Clinton on 16 and 17 October 2000.

7. Since the outbreak of the current Palestinian intifada at the end of September 2000, over 900 people

have been killed and many thousands have been injured, the vast majority of them Palestinians. I have repeatedly expressed concern that Israel's response to the violence has included a disproportionate use of military force and incursions into the areas under full Palestinian authority. I have condemned the practice of so-called "targeted assassinations" and attacks on civilians by settler groups. I have also strongly condemned acts of violence or terror from whatever quarter, especially indiscriminate suicide bombing attacks against Israelis by Palestinian groups, and called upon the Palestinian Authority to make a maximum effort to control violence. These tragic developments have greatly increased mutual distrust, hardened the positions of the two sides and strengthened extremist elements.

8. Since the beginning of the intifada, the level of poverty, misery and suffering among the Palestinians has increased dramatically. I have repeatedly called upon Israel to end the closures and economic blockade.

9. Over the past year, the situation in the Middle East, including the Palestinian question, has been the subject of extensive consultations and debates in the Security Council. Members of the Council held private meetings with Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian Authority, on 10 November 2000, with the Ministerial Committee of the Organization of the Islamic Conference on 27 November 2000 and with Shimon Peres, Deputy Prime Minister and Minister for Foreign Affairs of Israel on 14 March 2001. On 7 October 2000, the Security Council adopted resolution 1322 (2000).

10. On 20 December 2000, on the basis of the Camp David understandings and subsequent talks, President Clinton presented to the parties a plan outlining a set of proposals ("parameters") for a final-status agreement. Both sides accepted those parameters with reservations. The plan was presented to the Israeli and Palestinian delegations at the resumed talks held in Washington from 19 to 23 December. In a further effort to reach an agreement before the prime ministerial elections in Israel, senior Israeli and Palestinian negotiators held talks in Taba, Egypt, from 21 to 27 January 2001. In a joint statement, the two sides declared that they had never been closer to reaching an agreement. Substantial progress was achieved in each of the issues discussed: refugees, security, borders and Jerusalem. However, given the circumstances and time constraints, it proved impossible to reach a final understanding on all issues.

11. As the parties remained deadlocked, further international efforts were made to revive the political process leading to a solution. In March, a serious discussion was generated by a joint Egyptian-Jordanian non-paper proposing steps to end the current crisis and to restart negotiations. It should be recalled in this connection that, prior to the submission of the paper, new circumstances had evolved, including the establishment of a national unity Government in Israel, headed by Prime Minister Ariel Sharon. The new Israeli Government declared that it would honour previous diplomatic agreements approved by the Knesset, but it would not conduct negotiations while the violence continued.

12. On 27 and 28 March 2001, I took part in the Summit of the League of Arab States in Amman. The crisis in the Middle East was a major topic of my discussions with heads of State and Foreign Ministers at the meeting. In my statement to the Summit I stressed that the international community and the Arab world had the right to criticize Israel for its continued occupation of Palestinian and Syrian territory, and for its excessively harsh response to the intifada. But I argued that those points could be made more effectively if many Israelis did not believe that their existence was under threat: Israel had a right, enshrined in numerous United Nations resolutions, to exist in safety within internationally recognized borders. I emphasized that what was needed was movement towards an agreement that responded both to the legitimate desire of the Palestinians for national independence, and to the legitimate claims of the Israelis to recognition and security.

13. The report of the Sharm el-Sheikh Fact-Finding Committee, known as the Mitchell report, which was released at the end of April, provided a viable basis for a return to the negotiating table, and I fully endorsed its recommendations. The Committee recommended a number of steps to end the violence by implementing an unconditional ceasefire and resuming security cooperation, rebuilding confidence by establishing a meaningful "cooling-off period" and implementing additional confidence-building measures, including a freeze by Israel of all settlement activity, to be followed by the resumption of negotiations. The report was accepted by both parties and widely acknowledged at the international level as a good basis to break the impasse. As a follow-up to the report, the parties reached agreement upon a ceasefire on 13 June 2001,

which was brokered by director of central intelligence George Tenet. I visited the region from 12 to 18 June 2001 to encourage the parties to consolidate the ceasefire and move towards full implementation of the Mitchell report.

14. It was encouraging that Foreign Minister Shimon Peres and President Yasser Arafat met on 26 September 2001 and agreed to resume full security cooperation and to exert maximum efforts to sustain the ceasefire. The meeting was made possible due in no small measure to painstaking international efforts, in particular involving the United States, the Russian Federation, the European Union and the United Nations, with the full support of Jordan and Egypt. The level of violent incidents declined and Israel took several positive steps, including the lifting of some internal closures. There were also significant statements by Member States, including the United States, envisioning the creation of a Palestinian State provided that Israel's right to exist was respected, which offered a new and important stimulus in the search for a lasting political solution.

15. Unfortunately, this progress was sharply disrupted when Israeli cabinet minister Rehavam Zeevi was assassinated on 17 October 2001 by gunmen belonging to the Popular Front for the Liberation of Palestine. I strongly condemned this terrorist act and called upon all parties to exercise maximum restraint. Following the assassination, Israeli forces launched a major incursion into Palestinian-controlled areas. The United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority worked very closely with the representatives of the United States, the Russian Federation, the European Union and other countries in the region to de-escalate this dangerous situation. In this regard, the "Quartet" issued a joint statement on 25 October 2001, which was strongly supported in a statement to the press, also on 25 October 2001, by the President of the Security Council. It has also been supported by several Member States in their discussions with the parties.

16. On 11 November 2001, I met in New York with Secretary of State Colin Powell of the United States, Foreign Minister Igor Ivanov of the Russian Federation and the High Representative for Common Foreign and Security Policy of the European Union, Javier Solana. The "Quartet" welcomed President George Bush's statement to the General Assembly on the Middle East of 10 November 2001, in which he pledged to work towards the day when two States, Israel and Palestine, would live peacefully together within secure and recognized borders, as called for by Security Council resolutions. The "Quartet" encouraged their representatives in the field to continue working together to help the Israelis and the Palestinians find a way to resolve the current crisis in their relations.

17. The Ministers for Foreign Affairs of the five permanent members of the Security Council met with me on 12 November 2001 and issued a statement (see A/56/613-S/2001/1066, annex) strongly encouraging Israelis and Palestinians to take the necessary security, economic and political steps to move from confrontation to the resumption of a political process. The Ministers reiterated their condemnation of acts of terror and violence and their conviction that the only solution to the Israeli-Palestinian problem is through dialogue and negotiations. They called upon Israel to withdraw from all areas into which it had made incursions and to ensure greater restraint by the Israeli Defence Forces. They also called upon the Palestinian Authority to take all possible steps to put an end to violence. In that regard, they urged the parties to implement the Tenet plan and the recommendations of the Mitchell report, which the parties had accepted, as quickly as possible. The Ministers called upon the parties to create an environment in which the negotiations based upon Security Council resolutions 242 (1967) and 338 (1973) and the Madrid principles could resume.

18. I continue to believe that only a package solution based on the Mitchell report, including security and economic aspects but also a political component, can halt the cycle of violence, restore calm and create the right atmosphere for the resumption of sustainable peace talks. There is no alternative to a return to the negotiating table and to a peaceful settlement. However, the mutual distrust between the parties has reached such a level that without constant third-party involvement and encouragement they may not be able to break out of the current impasse. Therefore, at this critical juncture it is imperative to accelerate joint efforts with a view to generating new momentum towards a peaceful solution of the ongoing crisis.

19. The confrontation has had a devastating impact on the humanitarian and economic situation in the occupied Palestinian territory. Severe closures and

blockades have resulted in large-scale losses to the Palestinian economy, wiping out more than three years of growth and increasing dramatically the level of unemployment and poverty. The fiscal situation of the Palestinian Authority remains fragile. The drop in domestic tax revenue and the continued withholding of Palestinian tax revenues by Israeli authorities has led to a significant budget deficit in 2001. Generous support from the Arab States, as well as the European Union and Norway, have eased the crisis this year. However, new efforts will be urgently needed. Therefore, a well-coordinated and concerted international relief and assistance effort is essential to address the most pressing needs and gradually improve living conditions. Urgent measures are also needed to remove the restrictions placed on the movement of staff and goods related to the delivery of humanitarian assistance. The United Nations remains at the forefront of efforts to alleviate the severe social and economic hardships of the Palestinian people. The Office of the United Nations Special Coordinator, as well as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Development Programme (UNDP) and many other bodies continue their work in the region, adjusting the focus of their activities as required by the current humanitarian emergency. I should like to use this occasion to call once again upon the international donor community to provide adequate funding to UNRWA so that it can continue to deliver the necessary services to the Palestinian refugees. Donor assistance is especially vital at a time when the humanitarian situation is so critical.

20. As the General Assembly has underscored on many occasions, achieving a final and peaceful settlement of the question of Palestine, the core issue of the Arab-Israeli conflict, is imperative for the attainment of a comprehensive and lasting peace in the Middle East. I hope that there will also be movement on the Syrian and Lebanese tracks so that peace, security and stability may be achieved for all peoples in the region on the basis of Security Council resolutions 242 (1967) and 338 (1973).

21. For its part, the United Nations will continue to support the resumption of the peace process and to respond in a coherent and integrated way to the economic, social, humanitarian and other needs of the population in the West Bank and Gaza. I call upon the international community to provide the necessary resources in support of the United Nations programmes to address the deteriorating economic and humanitarian situation of the Palestinian people.

22. I should like to pay special tribute to Terje Roed-Larsen, United Nations Special Coordinator and my Personal Representative, and to the staff of the Office of the Special Coordinator, as well as to the staff of UNRWA and other United Nations agencies, all of whom have rendered sterling service while working under increasingly demanding and difficult circumstances.

United Nations S/2001/1101

# Security Council

Distr.: General
21 November 2001
English
Original: French

## Letter dated 20 November 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the conclusions of the General Affairs Council of the European Union issued on 20 November 2001, on behalf of the European Union, on Afghanistan (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(*Signed*) Jean **De Ruyt**
Permanent Representative of Belgium to the United Nations

01-65471 (E) 211101 211101

## Annex to the letter dated 20 November 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

[Original: English and French]

## Conclusions of the General Affairs Council of the European Union issued on 20 November 2001, on behalf of the European Union, on Afghanistan

The General Affairs Council welcomes the adoption of Security Council resolution 1378 (2001) and reiterates its full support for the efforts of the Special Representative of the Secretary-General to set up a transitional administration swiftly. The General Affairs Council recalls that such efforts are intended to install in Afghanistan a legitimate, broad-based, multi-ethnic government committed to establishing human rights in Afghanistan. The Union will continue to participate in seeking a political solution.

The General Affairs Council welcomes recent developments on the ground which contribute to achieving the objectives of the international coalition against terrorism. The General Affairs Council confirms its unreserved support for the coalition's action undertaken in self-defence and in conformity with Security Council resolution 1368 (2001). The General Affairs Council calls on the Northern Alliance to exercise restraint in the regions under its control and to do its utmost to further the rapid establishment of a new administration which enjoys national and international support. It also calls on all the Afghan forces to respect human rights and international humanitarian law. The responsible behaviour of the new Afghan leaders in this area will constitute a deciding factor for the aid which the European Union is prepared to provide for the country's reconstruction.

The General Affairs Council stresses the urgency of the Afghan people's humanitarian needs: humanitarian aid remains an absolute priority for the Union. The mobilization and supply of aid will be subject to closer coordination between the member States and the Commission, as well as with specialist humanitarian agencies, the Afghanistan Support Group and non-governmental organizations. Developments in the situation on the ground must be turned to advantage to help refugees and displaced persons.

While recognizing the primary responsibility of the Afghan people in determining its future, the General Affairs Council calls on the United Nations and international financial institutions to devise a plan for the economic, social and institutional reconstruction of Afghanistan also enabling the efforts of the international community to be coordinated effectively. This plan must also promote the role of women in Afghan society. Preparation of this plan with all States and organizations concerned, including the Afghans, will underscore the determination of the international community to work towards the long-term recovery of the country. In this context, the Union will participate actively in the meeting in Washington, D.C., on 20 November.

The General Affairs Council will step up its dialogue with the countries in the region in order to contribute to the region's stability: peace in Afghanistan is a guarantee of security for the entire region.

The General Affairs Council has decided to appoint a Special Representative for Afghanistan. He will work under the authority of the High Representative and will assist the latter and the Presidency in their activities.

United Nations S/2001/1102

# Security Council

Distr.: General
23 November 2001

Original: English

## Letter dated 23 November 2001 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to forward to the Security Council Rwanda's first reaction to the letter dated 10 November 2001 from the Secretary-General to the President of the Security Council transmitting the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/1072).

The attached communiqué has been signed by André Bumaya, Minister for Foreign Affairs and Regional Cooperation of Rwanda.

I should be grateful if you would kindly circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Dr. Anastase **Gasana**
Ambassador
Permanent Representative of Rwanda to the United Nations

01-65610 (E) 231101

## Annex to the letter dated 23 November 2001 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

The Government of the Republic of Rwanda has received a copy of the letter dated 10 November 2001 from the United Nations Secretary-General to the President of the Security Council transmitting the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/1072).

The Government of Rwanda welcomes the Panel's acknowledgement of the validity of the security reasons for its forces' operations in the Democratic Republic of the Congo. The Government of Rwanda would like to restate that there is no structured involvement whatsoever of its armed forces into commercial activities in the Democratic Republic of the Congo. Indeed, the specific allegation against the Rwandan Patriotic Army is inconsistent with the main findings, conclusions and recommendations of the report.

The Government of Rwanda agrees with the Panel that in the letter and spirit of the Lusaka Agreement, signed by all parties to the conflict, State institutions should be restored throughout the territory of the Democratic Republic of the Congo. This should be achieved through the implementation of the Agreement, particularly by concluding the inter-Congolese dialogue without further delay. The Congolese parties should be encouraged to deal with this issue with courage and dedication.

The Government of Rwanda also agrees with the Panel that negative forces operating in the Democratic Republic of the Congo should be disarmed and repatriated as soon as possible in order to put an end to insecurity in the region and the chaos in the Democratic Republic of the Congo. Rwanda is committed to the full implementation of the Lusaka Agreement and will continue to support the efforts of the United Nations in this regard.

A detailed reaction to the report will be made available shortly.

(*Signed*) André **Bumaya**
Minister for Foreign Affairs and Regional Cooperation of Rwanda

Kigali, 22 November 2001

United Nations S/2001/1103

Security Council

Distr.: General
23 November 2001
English
Original: French

**Letter dated 23 November 2001 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council**

On instructions from my Government, following the terrorist attacks perpetrated in the United States of America on 11 September 2001, I have the honour to inform you that, in accordance with the exercise of the inherent right of individual or collective self-defence (Article 51 of the Charter), referred to in Security Council resolution 1368 (2001), and in response to the encouragement addressed to Member States by the Council in paragraph 5 of its resolution 1378 (2001), France has undertaken action involving the participation of military air, land and naval forces.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(*Signed*) Jean-David **Lévitte**

01-65598 (E) 231101 231101

United Nations S/2001/1104

Security Council

Distr.: General
23 November 2001

Original: English

## Letter dated 23 November 2001 from the Permanent Representative of Australia to the United Nations addressed to the President of the Security Council

In accordance with Article 51 of the Charter of the United Nations, I am writing on behalf of my Government to report to the Security Council that Australia has taken measures in the exercise of the inherent right of individual and collective self-defence following the armed attacks against the United States of America on 11 September 2001.

As you are aware, Australia has strongly condemned those responsible for the September terrorist attacks. There were 22 Australians among the thousands who lost their lives as a result of the attacks. Australia regards the catastrophic loss of life, injury and destruction endured by the international community as utterly repugnant and inhumane.

The United Nations has a critical role to play in ensuring that all Member States cooperate in taking the necessary steps to combat international terrorism. We fully support Security Council resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, which affirm the inherent right of individual and collective self-defence and call upon all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of these appalling acts of violence.

To that end, Australia, in consultation with the United States, decided on 14 September 2001 that the Security Treaty between Australia, New Zealand and the United States (ANZUS Treaty), a mutual defence pact done on 1 September 1951, applied to the present situation. The Australian response relies upon this treaty, as well as Article 51 of the Charter of the United Nations.

The Australian Prime Minister announced on 17 October 2001 that Australia would contribute elements of the Australian Defence Force, including land, air and naval units, to assist the United States-led military operations. Australia has now taken such measures in the exercise of the inherent right of individual and collective self-defence.

Australian personnel have been deployed to undertake military operations in support of the coalition response. These operations are in no way directed against civilian populations or Islam. When undertaking such military operations, Australia will scrupulously abide by its obligations under international humanitarian law.

01-65587 (E) 231101

I ask that you circulate the text of the present letter as a document of the Security Council.

(*Signed*) John **Dauth**
Ambassador and Permanent Representative
of Australia to the United Nations

United Nations S/2001/1105

# Security Council

Distr.: General
26 November 2001
English
Original: Arabic

## Letter dated 20 November 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 20 November 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of Iraq. Appended to the Minister's letter is a table showing the 55 violations of Iraq's airspace and international boundaries that were committed by United States and British warplanes flying from bases in Kuwait across the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 27 October to 9 November 2001. The Minister points out that the United States and the United Kingdom are continuing to enforce the illegal no-flight zones in northern and southern Iraq, and that this constitutes aggression and is in flagrant violation of the Charter of the United Nations.

Accordingly, the Minister urges you to instruct UNIKOM to perform its duties in full, to report these violations to the Security Council through you as soon as they occur and to specify the number and nationality of the warplanes that violate the demilitarized zone, given that such violations constitute wanton aggression against the sovereignty, territory and people of Iraq, as well as against United Nations peacekeeping operations. He further asks you to alert the Security Council to its responsibility to halt this aggression and ensure that its perpetrators, namely the United States, the United Kingdom, Kuwait and Saudi Arabia, are held accountable for it under international law and liable for the payment of compensation to Iraq.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Ambassador
Permanent Representative

01-65925 (E) 271101 271101

## Annex to the letter dated 20 November 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Further to our letter dated 4 November 2001 (S/2001/1057, annex), I should like to inform you that in the period from 27 October to 9 November 2001 United States and British warplanes flying from bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) committed 55 violations of our international boundaries. As shown in the table appended to this letter, the relevant Iraqi agencies have determined that the violations committed were as follows:

1. Armed aerial activity by the United States and the United Kingdom, violating our international boundaries from the United States and British bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone, comprised 55 armed sorties in the following governorates: Dhi Qar, Muthanna, Basrah, Maysan and Qadisiyah.

2. Our technical systems identified the aircraft violating Iraq's airspace on a daily basis as American F-14s and F-15s and British Tornadoes.

3. An AWACS aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace provided support to all of the United States and British aircraft that carried out armed and hostile sorties, violating Iraq's airspace by way of the demilitarized zone.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. One of UNIKOM's primary responsibilities is to monitor such hostile military operations and to report them and endeavour to halt them immediately.

The enforcement by the United States and the United Kingdom of the no-flight zones in northern and southern Iraq is an internationally unlawful act and a flagrant violation of the Charter of the United Nations and the established norms of international law. It constitutes a use of armed force against Iraq's sovereignty, independence and territorial integrity, and it is to be regarded as an ongoing act of aggression such as accords with the Definition of Aggression approved by the United Nations General Assembly in its resolution 3314 (XXIX) of 14 December 1974. Most of the world's countries have condemned the maintenance of the no-flight zones as representing an illegitimate use of force against an independent State. Your predecessor, Mr. Boutros Boutros-Ghali, has affirmed that the claim that the Security Council resolutions concerning Iraq authorize the imposition of the no-flight zones is groundless, and you asserted the same fact yourself at your press conference of 27 June 2001. The United States and the United Kingdom, with logistic support from Turkey and both logistic support and funding from Kuwait and Saudi Arabia, are nevertheless persisting undeterred in their contempt for the Charter of the United Nations and international law and are committing this cowardly, terrorist aggression against Iraqi civilians and against Iraq's sovereignty, territorial integrity and political independence.

The violations being committed by the United States and the United Kingdom involving 10 to 20 military aircraft on a daily basis constitute an unlawful war. They represent an act of aggression such as requires the United Nations to take the

measures required in its regard under the Charter in order to halt it forthwith and ensure that those who have committed it bear full international responsibility for it, including liability for the payment of compensation to Iraq.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft are untenable in the light of the scientific and technological capabilities that the United Nations Secretariat should make available to it for use in meeting the requirements of its mandate and establishing the identity and nationality of the warplanes that are violating Iraq's sovereign airspace, so that the necessary measures may be taken by the Security Council to halt these violations and acts of aggression. In another respect, even if UNIKOM did not have the systems needed to identify the type and nationality of these aircraft, the fact that they come from the direction of Kuwait confirms that they are those of the United States and the United Kingdom, because these two countries do not deny that they are engaging in aggression against Iraq on a daily basis from Kuwait. Your report on UNIKOM for the period from 28 March to 4 September 2001 (S/2001/913) indicates as much, and paragraph 6 states that "[it should be noted] that the mission's inability to identify the States responsible for conducting such flights is in no way to be understood as condoning them". You also state in the report that the United States and the United Kingdom have acknowledged that they are continuing to enforce a no-flight zone in southern Iraq.

I accordingly urge you once more to instruct UNIKOM to perform its duties in full, to report these violations to the Security Council through you as soon as they occur and to specify the number and nationality of the warplanes that violate the demilitarized zone and commit aggression against Iraq, given that this constitutes wanton aggression against Iraq and against its people, its sovereignty and its territory, as well as against United Nations peacekeeping operations. I also ask you to alert the Security Council to its responsibility to halt this aggression and ensure that its perpetrators, namely the United States, the United Kingdom, Kuwait and Saudi Arabia, are held accountable for it under international law.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

## Enclosure

### Hostile aerial activity violating Iraq's international boundaries from Kuwait and by way of the demilitarized zone, 27 October-9 November 2001

| *No.* | *Date* | *From* | *Time* | *Type* | *Armed sorties* | *Altitude (metres)* | *Speed (km h)* | *Areas overflown* |
|---|---|---|---|---|---|---|---|---|
| 1 | 27 October-2 November | Kuwait | 1030-1440 | F-14, F-15 | 18 | 8,500-9,000 | 720-780 | Basrah, Artawi, Jalibah, Busayyah, Qurnah |
| 2 | 3-9 November | Kuwait | 1935-2152 | F-14, F-15 | 37 | 10,500-11,000 | 720-780 | Artawi, Jalibah, Busayyah, Salman, Basrah, Umm Qasr |

**Total sorties: 55**

**Note**: The total number of armed aerial violations committed from Kuwaiti territory in the period from 17 December 1908 to 9 November 2001 was 35,680.

United Nations S/2001/1106

# Security Council

Distr.: General
26 November 2001
English
Original: Arabic

## Identical letters dated 20 November 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 20 November 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 1 to 15 November 2001 they carried out 194 hostile sorties, 72 of them from Saudi Arabia, 78 from Kuwait and 44 from Turkey.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that full international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide the logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He further states that Iraq reserves its right, as established by the Charter of the United Nations and international law, to defend itself against this ongoing hostile, terrorist activity. He urges you to perform the duties assigned to you under the Charter by ensuring that this persistent aggression is halted and does not recur and that its perpetrators and the regional parties that associate themselves with it are made to bear full legal responsibility for it.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Ambassador
Permanent Representative

01-65932 (E) 271101 281101

## Annex to the identical letters dated 20 November 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that the United States of America and the United Kingdom have continued their aerial aggression against the Republic of Iraq and that the Kingdom of Saudi Arabia, the State of Kuwait and the Republic of Turkey have also continued to provide logistic facilities for this aggression. United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have thus continued to violate the airspace of the Republic of Iraq. They flew 194 armed sorties in the period from 1 to 15 November 2001, 72 of them from Saudi Arabia, 78 from Kuwait and 44 from Turkey, as shown in the statement enclosed herewith. On 11 November 2001, United States and British aircraft fired missiles at one of our units in Basrah Governorate, wounding one resident and destroying many civilian installations.

The enforcement by the United States and the United Kingdom of the no-flight zones in northern and southern Iraq is an internationally unlawful act and a flagrant violation of the Charter of the United Nations and the established norms of international law. It constitutes an illegal use of armed force against the sovereignty, independence and territorial integrity of Iraq, and it is to be regarded as an ongoing act of aggression such as accords with the Definition of Aggression approved by the United Nations General Assembly in its resolution 3314 (XXIX) of 14 December 1974. Most of the world's countries have condemned the maintenance of the no-flight zones as representing an illegitimate use of force against an independent State. The United Nations, as represented by the Secretary-General, has also affirmed that the claim that the Security Council resolutions concerning Iraq authorize the imposition of the no-flight zones is groundless.

The attacks being launched by United States and British aircraft on Iraqi towns and villages and on structures that are basic to life in the country, including health-care and educational establishments and houses of worship, constitute blatant State terrorism that has now been practised for more than 10 years and has caused the deaths of thousands of Iraqi citizens, has left tens of thousands injured and has brought about the destruction of vital amenities and infrastructure. That the United Nations, the Security Council and you yourself should remain mere spectators in the presence of this aggression and this blatant State terrorism against Iraq raises serious questions about the credibility of the United Nations and about its capacity to apply the norms of the Charter to all without distinction and without the use of double standards.

The Government of Iraq considers that the Governments of the United States and the United Kingdom and the countries that associate themselves with this terrorist aggression, namely Kuwait, Saudi Arabia and Turkey, should bear full responsibility for their illegal actions. It affirms Iraq's established entitlement under the Charter of the United Nations and international law to exercise its legitimate right to defend itself against this ongoing hostile, terrorist activity. It further urges you to perform the duties assigned to you as they relate to the maintenance of international peace and security, to call upon the Governments of the countries in question to halt their continuing aggression against Iraq forthwith and to ensure that

those committing the aggression and the regional parties collaborating in that aggression, namely Kuwait, Saudi Arabia and Turkey, are made to bear full legal responsibility for it.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

## Enclosure

### Violations of the airspace of the Republic of Iraq by United States and British warplanes, 1-15 November 2001

1. In the northern region 44 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1100 hours on 7 November 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 14 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Irbil, Aqrah, Amadiyah, Dohuk and Rawanduz areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1430 hours, drove them off.

(b) At 1215 hours on 13 November 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 10 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Amadiyah, Dohuk, Zakho, and Irbil areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1520 hours, drove them off.

(c) At 1200 hours on 14 November 2001, United States and British F-14, F-15 and F-16 aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 10 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Amadiyah, Rawanduz and Ba'shiqah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1315 hours, drove them off.

(d) At 1200 hours on 15 November 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 10 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Amadiyah, Aqrah and Baibo areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1430 hours, drove them off.

2. In the southern region 150 armed sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1205 hours on 1 November 2001, United States and British F-14 and F-15 aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 10 armed sorties, six of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Lasaf, Salman, Jalibah, Artawi and Ashbajah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1330 hours, drove them off.

(b) At 1305 hours on 2 November 2001, United States and British F-14, F-15 and F-16 aircraft coming from bases in Saudi Arabia and Kuwait and from Saudi and Kuwaiti airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 14 armed sorties, eight of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Ashbajah, Lasaf, Jalibah, Salman, Busayyah and Artawi areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1445 hours, drove them off.

(c) At 1935 hours on 5 November 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Saudi and Kuwaiti airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 16 armed sorties, two of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 14 from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Umm Qasr, Basrah, Jalibah, Busayyah, Ashbajah, Salman and Nasiriyah South areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 2105 hours, drove them off.

(d) At 2025 hours on 6 November 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 14 armed sorties, six of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Jalibah and Ashbajah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 2155 hours, drove them off.

(e) At 2115 hours on 7 November 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 14 armed sorties, six of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Ashbajah, Salman, Lasaf, Busayyah, Jalibah and Basrah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 2220 hours, drove them off.

(f) At 2025 hours on 8 November 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 14 armed sorties, 10 of them from Saudi

territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Safwan, Busayyah, Salman and Artawi areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 2200 hours, drove them off.

(g) At 2010 hours on 9 November 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 16 armed sorties, 14 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and two from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Busayyah and Jalibah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 2110 hours, drove them off.

(h) At 0900 hours on 11 November 2001, United States and British F-15 aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out eight armed sorties from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Safwan and Zubayr areas. The United States and British aircraft fired missiles at one of our units in Basrah Governorate, wounding one resident and destroying many civilian installations. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1030 hours, drove them off.

(i) At 1315 hours on 12 November 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 12 armed sorties, six of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Safwan, Artawi, Salman and Busayyah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1450 hours, drove them off.

(j) At 1450 hours on 13 November 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 12 armed sorties, six of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Nasiriyah, Qal'at Sukkar, Jalibah, Artawi and Busayyah areas. Our air defences, acting in

exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1600 hours, drove them off.

(k) At 1420 hours on 14 November 2001, United States and British F-14 and F-15 aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out eight armed sorties, two of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah, Jalibah, Salman and Nasiriyah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1530 hours, drove them off.

(l) At 1335 hours on 15 November 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 12 armed sorties, six of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Shatrah, Qal`at Sukkar, Salman, Ashbajah, Rifa`i, Lasaf and Jalibah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1500 hours, drove them off.

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Security Council

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26 November 2001

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**Letter dated 21 November 2001 from the Permanent Representative of Uganda to the United Nations to the President of the Security Council**

On instructions from my Government, I have the honour to attach the text of a statement issued on 20 November 2001 by the Government of Uganda (see annex) on the recently published addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other Forms of Wealth of the Democratic Republic of the Congo (see S/2001/1072).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Semakula **Kiwanuka**
Ambassador Extraordinary and Plenipotentiary/
Permanent Representative of Uganda to the United Nations

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## Annex to the letter dated 26 November 2001 from the Permanent Representative of Uganda to the United Nations to the President of the Security Council

## Statement issued on 20 November 2001 by the Government of the Republic of Uganda on the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other Forms of Wealth of the Democratic Republic of the Congo

The Government of Uganda welcomes the release on 19 November 2001 of the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (see S/2001/1072).

The Government of Uganda has noted that the addendum to the report has some positive aspects:

(a) First, it recognizes the fundamental issue regarding Uganda's legitimate security concerns in the Democratic Republic of the Congo as a result of the threat from the negative forces in the Democratic Republic of the Congo, including the Allied Democratic Forces (ADF), WNBF, UNRF and more recently from the People's Redemption Army (PRA). The addendum to the report also appreciates the fact that the intervention by Uganda in pursuit of the perpetrators of terrorist activities was based on a bilateral protocol signed between the Government of Uganda and the Democratic Republic of the Congo in 1998;

(b) Second, the addendum to the report states that neither the Government of Uganda nor any of its companies are involved in the illegal exploitation in the Democratic Republic of the Congo;

(c) Third, the addendum to the report recognizes that Uganda is complying with the Lusaka Ceasefire Agreement and relevant Security Council resolutions. Specifically, it notes that Uganda has made significant withdrawal of its troops from the Democratic Republic of the Congo. It also notes that Uganda has complied with the Security Council presidential statement S/PRST/2001/13 by establishing the Judicial Commission of Inquiry on the Illegal Exploitation of Natural Resources of the Democratic Republic of the Congo;

(d) Fourth, the addendum to the report recognizes what President Yoweri K. Museveni has repeatedly said, namely, that the significance of the implementation of the Lusaka Ceasefire Agreement, including the inter-Congolese dialogue, is the only guarantee to (a) guard against illegal exploitation and (b) ensure the security of neighbouring countries;

(e) Fifth, the addendum to the report remedies the earlier anomaly and introduces balanced coverage of all the countries involved in the Democratic Republic of the Congo, including the Democratic Republic of the Congo itself, Zimbabwe, Angola and Namibia.

### Key areas of concern

The Government of Uganda, however, wishes to express its disappointment with the addendum to the report as follows:

(a) The addendum to the report accuses senior military officers of continuing to have commercial networks in the Democratic Republic of the Congo, and it quotes as examples the Trinity and Victoria Companies, which are still involved in the Democratic Republic of the Congo;

(b) Preliminary findings, however, indicate that Trinity and Victoria Companies are not Ugandan owned. Thus, Uganda cannot determine which companies operate in the Democratic Republic of the Congo or where their products end. It would, therefore, be very helpful for the Panel to provide evidence to Uganda's Porter Commission of Inquiry so that it can finalize investigations involving senior UPDF Officers. The Uganda Government is committed to the implementation of the recommendations of the Porter Commission of Inquiry;

(c) We also note a number of factual errors. For example, in paragraph 48, the addendum to the report alleges that the Government of Uganda denies that timber from the Democratic Republic of the Congo transits through Uganda. This is not true. The detailed facts and data regarding transit cargo from the Democratic Republic of the Congo were given to the Panel in November 2000 and August 2001.

**Comments on the recommendations**

1. *On the convening of an international conference on peace and development in the Great Lakes region*: Uganda believes that such a conference should take place after the implementation of the Lusaka Ceasefire Agreement on the Democratic Republic of the Congo and the Arusha Peace Process on Burundi. The conference would then focus on reconstruction of the region and take advantage of the peace dividend.

2. *On the recommendation that the United Nations Organization Mission in the Democratic Republic of the Congo accelerate the disarmament, demobilization and reintegration of the negative forces present in the Democratic Republic of the Congo*: Uganda supports the recommendation and believes this is the key to the complete withdrawal of foreign forces and the full implementation of the Lusaka Ceasefire Agreement.

3. *On the evaluation of donor assistance to countries in the region*: Uganda has nothing to hide. Our budgeting process has been transparent and has been worked out with our development partners, including the International Monetary Fund and the World Bank. Uganda's military expenditure remains within the agreed spending limits. Also, Uganda has withdrawn 12 out of 14 battalions, and has requested the Security Council to deploy the United Nations Organization Mission in the Democratic Republic of the Congo in the Bunia and Buta areas so that Uganda can withdraw its remaining troops.

4. *On the issue of a moratorium*: Uganda has always stated that a moratorium could be put on the commercial exploitation of minerals, but not on smallholders who earn their living through the traditional cross-border trade.

5. *On the issue of sanctions*: Uganda believes that sanctions should be aimed at those who violate the implementation of the Lusaka Ceasefire Agreement. The implementation of the Lusaka Ceasefire Agreement and the establishment of the new political dispensation are the only guarantee against the illegal exploitation of natural resources in the Democratic Republic of the Congo.

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Security Council

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26 November 2001

Original: English

**Letter dated 13 November 2001 from the Ministers for Foreign Affairs of Burkina Faso, Cuba, the Lao People's Democratic Republic, Malaysia, South Africa and Zimbabwe addressed to the President of the Security Council**

We have the honour to inform you that the six-member committee, established by the Non-Aligned Movement to follow up on the Lockerbie question met on Tuesday, 13 November 2001, in New York to discuss the matter.

Following this meeting, the Committee wishes to inform the Security Council of the following views:

(a) On 27 August 1998, the Security Council adopted resolution 1192 (1998), in paragraph 8 of which the Council decided to suspend immediately the sanctions imposed on the Libyan Arab Jamahiriya upon the arrival in the Netherlands of the two suspects in the Lockerbie incident for trial by the Scottish Court sitting in that country. The sanctions would then be lifted after the submission of the report by the Secretary-General, as indicated in paragraph 16 of Security Council resolution 883 (1993);

(b) Despite the fact the two suspects have already appeared before the Scottish Court and that a period of two and a half years has passed since the Secretary-General submitted the required report, in which he stated that the Libyan Arab Jamahiriya has fully complied with its obligations, the Security Council has not been able fully to lift the sanctions;

(c) Recalling the positions of the Movement that affirmed the full compliance of the Libyan Arab Jamahiriya with its obligations in accordance with the relevant Security Council resolutions and called for the immediate and full lifting of sanctions imposed by means of those resolutions, the Committee feels obliged to express its deepest concern about the continuation of the sanctions. Furthermore, the Committee believes that the Council's inability fully and immediately to lift the sanctions causes the Libyan Arab Jamahiriya to question the intent behind such a stance;

(d) Reiterating its appreciation for the cooperation that the Libyan Arab Jamahiriya has shown throughout the phases of this issue, the six-member committee wishes to emphasize once again the positions adopted by the countries of the Non-Aligned Movement, at the highest levels, and urges the Security Council to expedite the lifting of the sanctions imposed on the Libyan Arab Jamahiriya

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immediately and irrevocably in view of its full compliance with the demands indicated in the Security Council resolutions relevant to the Lockerbie issue.

We would be grateful, Your Excellency, if you could circulate this letter as a Security Council document.

(*Signed*) Youssof **Ouédraogo**
Minister for Foreign Affairs, Burkina Faso

(*Signed*) Felipe Pérez **Roque**
Minister for Foreign Affairs, Cuba

(*Signed*) Somsavat **Lengsavad**
Minister for Foreign Affairs, Lao People's Democratic Republic

(*Signed*) Datuk Seri Syed Hamid **Albar**
Minister for Foreign Affairs, Malaysia

(*Signed*) Nkosazana C. **Dlamini Zuma**
Minister for Foreign Affairs, South Africa

(*Signed*) Stanislaus I. G. **Mudenge**
Minister for Foreign Affairs, Zimbabwe

United Nations S/2001/1109

# Security Council

Distr.: General
26 November 2001

Original: English

## Draft resolution

*The Security Council*,

*Reaffirming* its resolution 1359 (2001) of 29 June 2001 and its previous resolutions on the question of Western Sahara,

*Taking note* of the letter of the Secretary-General of 12 November 2001 (S/2001/1067),

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 28 February 2002;

2. *Requests* the Secretary-General to keep the Council informed of all significant developments in an interim report by 15 January 2002 and to provide an assessment of the situation by 18 February 2002;

3. *Decides* to remain seized of the matter.

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United Nations S/2001/1110

# Security Council

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## Draft resolution

*The Security Council,*

*Having considered* the report of the Secretary-General on the United Nations Disengagement Observer Force of 15 November 2001 (S/2001/1079), and also reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 2002;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

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United Nations A/56/649–S/2001/1111

# General Assembly
# Security Council

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**General Assembly**
**Fifty-sixth session**
Agenda items 25, 27, 35, 39, 41, 42, 78, 95, 96, 99, 101, 107, 109, 117, 119 and 166

**United Nations Year of Dialogue among Civilizations**

**Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly**

**Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies**

**Towards global partnerships**

**Question of Palestine**

**The situation in the Middle East**

**Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects**

**Macroeconomic policy questions**

**Sectoral policy questions**

**Operational activities for development**

**Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources**

**High-level international intergovernmental consideration of financing for development**

**Follow-up to the International Year of Older Persons: Second World Assembly on Ageing**

**Security Council**
**Fifty-sixth year**

01-66023 (E) 301101 031201

**Elimination of racism and racial discrimination**

**Human rights questions**

**Measures to eliminate international terrorism**

## Letter dated 26 November 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

On the instruction of my Government, I have the honour to transmit to you the statement of His Highness Sheikh Hamad bin Khalifa Al-Thani, Emir of the State of Qatar, at the opening of the thirtieth ordinary session of the Al-Shourah Council of the State of Qatar, held in Doha on 19 November 2001 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 25, 27, 35, 39, 41, 42, 78, 95, 96, 99, 101, 107, 109, 117, 119 and 166, and of the Security Council.

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative

## Annex to the letter dated 26 November 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

### Text of a statement by His Highness the Amir

In the name of God and with His blessing, I declare open this thirtieth regular session of the Shura (Advisory) Council.

We meet today, as we do every year, to begin a new session in the work of a Council whose role in enhancing objective dialogue for the advancement of the public interest and the strengthening of popular participation in the domain of legislative policy we have always appreciated.

Given that the Shura Council represents a key stage in the evolution of the State's institutions, I look forward with you and with the public at large to the stage that will follow the promulgation of a permanent Constitution. The commission entrusted with the drafting of the Constitution is making a praiseworthy effort to complete it on schedule and to incorporate in those provisions we all wish to see a tangible reality for a community capable of meeting the needs of its time and of coping with the achievements that human progress will bring in years to come. I am confident that the traditions the Shura Council has established in exercising its functions in past years and the great and variegated expertise it has acquired will lay a firm foundation for an elected representative council that will not emerge in a vacuum or grope its way among the provisions of the permanent Constitution but will instead find in these traditions and attainments assistance and support that will guard it from pitfalls and light the way for it to achieve, God willing, everything we hope for.

At the beginning of this year, world economic growth began to slow down, and it has shown signs of contracting. The events of 11 September have had their own adverse repercussions for various economic activities, to increase the risks of a continued slowdown in economic growth in the industrialized countries.

This in turn has had a negative impact on most countries of the world, and the prices of various commodities, especially oil, have fallen as a consequence. The slowdown in world economic growth has greatly reduced demand for oil since the beginning of the year, and it is anticipated that oil prices will not stabilize in the immediate future. While the high oil prices of the past had positive consequences for us, the additional revenues realized as a result of those high prices were used to pay off some of the debts resulting from recurring annual budget deficits in past years and to fund major industrial projects. However, like countries in other regions of the world, Qatar has not been spared the adverse consequences of the crisis, and the contraction in world demand for oil and the steep drop in oil prices mean that a decline in State revenues and a slowdown in rates of economic growth are to be expected.

Our country has made great strides in the implementation of programmes to strengthen the national economy, and it has achieved sustained growth in the hydrocarbon industries sector. We have not, however, achieved our goals with regard to intermediate and light industries. The latter industries depend primarily on private-sector activity, since they do not require large amounts of capital. In order to stimulate the role of the private sector in this field, the State has acquired full ownership of the Industrial Development Bank so as to create an appropriate mechanism to implement the relevant projects in cooperation with the private sector. It will also endeavour to eliminate the administrative and bureaucratic obstacles that impede the private sector in this regard.

We affirm our determination and resolve to maintain our established policies for the implementation of more industrial projects and the development of infrastructure in accordance with the programmes and plans approved, to sponsor the enactment of the necessary laws to encourage foreign direct investment, to provide numerous lucrative incentives to investors, and to enhance the investment climate so as to increase the contribution of foreign investment to economic projects. The establishment of the Supreme Council for Economic Affairs and Investment perhaps reflects our concern to support and stimulate the economic development process in order to diversify the production base and meet the need to

cope with emerging global developments and profit from the opportunities that present themselves.

In our concern for the development process to include all State sectors, the Government is making a major effort to upgrade our educational system and to improve scientific and technical qualifications with the assistance of international consultants of proven effectiveness.

I must take this occasion to express our satisfaction at the worthy results achieved by the fourth Ministerial Conference of the World Trade Organization that was held a few days ago in Doha and to address our sincere thanks to all those who contributed to the success of the Conference, and especially those who volunteered, for the efforts they made in this regard.

Affirming our deep affinity with the Gulf, Arab and Islamic communities, we in the State of Qatar stress that our foremost foreign policy priorities are to strengthen our relations with our fellow States in the Gulf Cooperation Council and to augment our ties of brotherhood and integration with them. We look forward to the forthcoming summit meeting of the Council to be held in the Sultanate of Oman, and we hope that it will be successful and productive and will have positive results for our countries and peoples. We are certain that the insight of His Majesty Sultan Qaboos Bin Said, the sponsor of the summit, will contribute to its success as well as to the enhancement of solidarity and cohesion and the promotion of the common interests and goals of the people of the region.

We have all noted the barbarous acts of terrorism that were committed against the United States on 11 September last and in which thousands of innocent civilians were killed. We have condemned these acts in the strongest terms and have stressed that the perpetrators must be pursued and brought to justice. The whole world having now grasped the danger posed by such criminality to the future of the human race and to its advancement, well-being and stability, it is unanimous in perceiving the need to confront this phenomenon and rid the world of its evils.

The Muslim countries have been in the forefront in this respect, and not only in unanimously condemning these heinous acts of terrorism at the emergency meeting of the Islamic Conference of Foreign Ministers that was held in Doha in October 2001. Indeed, several years before that they adopted a draft convention for the suppression of terrorism and urged Islamic States to accede to it. The Arab and Muslim countries, however, find themselves in the position of having to defend themselves against dubious attempts to stigmatize Arabs and Muslims with the charge of terrorism. But terrorism is not the monopoly of a particular religion, of a specific region or of one race rather than another, just as it is incompatible with all prescriptions of religious law and most conspicuously those of true Islam, urging as it does benevolence, tolerance and love, not violence, enmity and hate. We hope that the Arab and Muslim countries will take vigorous steps to refute this unjust charge. It is incumbent on us to do this with the utmost vigour and, in doing so, to adopt an approach of objective dialogue based on matching argument for argument and on projecting the true image of Islam and its role in human civilization.

The Arab and Muslim countries have adopted a position of principle, which is that it is essential to differentiate between terrorism as a criminal phenomenon and the right of peoples languishing under the yoke of military occupation to free their homelands and exercise their inherent right to self-determination as guaranteed by a whole series of international covenants beginning with the Charter of the United Nations. In my statement to the United Nations General Assembly, I urged the need to define terrorism with precision on the aforesaid basis. It is perhaps to be hoped that the definition adopted by the Organization of the Islamic Conference in this context might serve as a starting point for the international efforts to be made by the United Nations in this regard and that the ongoing engagement with this phenomenon will take place under United Nations leadership in the framework of an international convention binding on States parties.

We call upon the international community to eliminate the sources of tension in the world and to solve the chronic problems that pose a threat to international peace and security and provide fertile soil for extremism and violence. We are confident that a just and lasting settlement of the Palestine issue that satisfies the legitimate aspiration of the Palestinian people to establish on its national soil an independent State with Jerusalem as its capital, an end to Israel's occupation of the Syrian Golan Heights and Israel's withdrawal from Lebanon to the internationally recognized boundaries would restore security, stability

and calm to the Middle East and allow all of its peoples without exception to enjoy the peace they have been seeking for many long years.

The harsh conditions and intense suffering of the fraternal Iraqi people arouse in us a sense of pain and bitterness. They require us to seek for ways to extricate ourselves from this critical situation and to devise appropriate political solutions that will ensure the preservation of Iraq's unity, sovereignty and independence and achieve security and stability in the region. It is also to be hoped that concerted efforts will be made by all to resolve the issue of the missing persons.

We turn the page on a year that is coming to a close, a year crowded with contrasting events that brought the world many surprises and resonated with many tragedies that do not accord with the spirit of benevolence and the propagation of peace. We must nevertheless go on. We must go on to build for more prosperous days and a brighter future, arming ourselves with knowledge, faith and the right of humanity to live in freedom and tranquillity. This will demand from us a great deal of effort and devotion. So let us look to the future of our country with optimistic eyes and with a spirit amply provided with resolve, for with will and determination we shall build the future of our country and of generations to come.

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**General Assembly**
**Fifty-sixth session**
Agenda items 41 and 42

**Question of Palestine**

**The situation in the Middle East**

**Security Council**
**Fifty-sixth year**

## Letter dated 26 November 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a statement made on 24 November 2001 by an official at the Foreign Ministry of the State of Qatar, expressing Qatar's condemnation and denunciation of Israel's inhuman practices against the Palestinian people and the deliberate policy of assassination of their leaders (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 41 and 42, and of the Security Council.

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative

01-65939 (E) 271101

## Annex to the letter dated 26 November 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

## Qatar condemns and denounces Israel's brutal outrages against the Palestinian people

The State of Qatar has condemned and denounced the outrages and inhuman acts committed by Israel against Palestinian citizens, and it has protested against the policy of assassinating representative leaders of the Palestinian people.

It did so in a statement made by an official spokesman of the Ministry of Foreign Affairs to the Qatar News Agency to the effect that the outrages and actions in question are in violation of the principles of international law and the resolutions embodying international legitimacy, may threaten security and stability in the region and do not accord with the notions and principles enunciated by the United States Secretary of State with a view to creating the appropriate conditions for a resumption of the peace process in the Middle East and bringing it back on track.

In concluding his statement, the official spokesman affirmed that the State of Qatar will stand by the Palestinian people in its just struggle for the restoration of its legitimate rights, notably its right to exercise self-determination and establish an independent State on its own national soil with Jerusalem as its capital.

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Security Council

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## Letter dated 20 November 2001 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

The Government of the Sudan wishes to make the following comments on the statement made on 9 November 2001 to the Security Council by the Minister for Foreign Affairs of Uganda concerning the situation in the Democratic Republic of the Congo.

The Ugandan Minister alleged in his statement to the Council that the objective of the remaining Ugandan forces in the Democratic Republic of the Congo was to ensure that the forces of the Democratic Alliance, that are supported by the Sudan and trained by al-Qa`idah, did not obtain assistance for the purpose of launching terrorist operations in Uganda across the Ruwenzori Mountains.

Once again, these Ugandan allegations are intended to divert attention from the accusations directed at the Ugandan regime concerning its scandalous invasion of the territory of the Democratic Republic of the Congo and the plundering of its resources by officials of the Ugandan Government, as attested by the report of the United Nations Panel of Experts on the Illegal Exploitation of Natural Resources and other Forms of Wealth in the Democratic Republic of the Congo contained in document S/2001/357 of 12 April 2001. That report revealed to the international community that the purpose of the interference by Uganda in the Democratic Republic of the Congo, specifically in areas where gold and diamond mines were located, was to attain economic and financial objectives and that the political and security reasons were no more than a pretext and a cover for the systematic and large-scale plundering of the wealth of the Democratic Republic of the Congo for the benefit of the corrupt regime in Uganda. The new Panel of Experts, in paragraph 100 of its report, contained in document S/2001/1072 dated 13 November 2001, stated that influential Government officials, military officers and businessmen in Uganda continued to exploit the security situation in the Democratic Republic of the Congo for their commercial interests.

What is new this time in the allegations of the Ugandan regime is its desperate attempt, by means of a cheap, opportunistic and shameful exploitation of the issue of terrorism, to link the terrorist organization al-Qa`idah with the forces of the Democratic Alliance, which are opposed to the Ugandan regime, and the claim that the Sudan supports the forces of the Democratic Alliance. We need only refer here to what was said by an official of Human Rights Watch commenting on allegations by Uganda that there was a connection between the terrorist organization al-Qa`idah and the Ugandan forces of the Democratic Alliance which opposes the Ugandan regime, who stated to the Reuters news agency on 6 November 2001, that "This is pure opportunism of the worst kind". He went on to say that the Ugandan regime was trying to seize the moment when the United States of America was building a

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coalition against terrorism to attract attention and attempt to gain something from the United States: "They are trying to use the momentum of the United States building its coalition on terror to gain attention and favours from the United States".

The hostility of the Ugandan regime towards the Sudan is common knowledge; it continues to harbour the terrorist rebel movement in Southern Sudan and to provide it with military and logistic facilities for its acts of terrorism. In December 2000 this induced the Ugandan Parliament to adopt the report of the Foreign and Legal Affairs Committee which requested the Ugandan Government to stop supporting the rebel movement in Southern Sudan because it was prejudicial to stability and security in the region and had caused severe human suffering among the civilian population.

The hostility of Uganda towards the Sudan and its wanton interference in the Sudan's internal affairs has reached a serious stage, as was revealed by the Ugandan newspaper *The Monitor* in its issue of 13 November 2001 which referred to the request by the President of the Ugandan regime to President George Bush, during his meeting with him on the occasion of the current session of the General Assembly, to partition the Sudan into two States.

The Ugandan regime should concentrate first of all on ensuring human rights and freedoms for its own citizens in Uganda before calling on others to do so. For example, the Acholi people in Northern Uganda are suffering from the war of oppression and extermination waged by the ruling minority in Kampala. This was confirmed by the Special Representative of the Secretary-General for Children and Armed Conflict to the Commission on Human Rights at its fifty-seventh session in Geneva on 10 April 2001 when he called on the Ugandan Government to cease its campaigns against the Acholi people. That was the very reason that impelled the extremist Christian organization the Lord's Resistance Army (LRA) to rebel against these injustices.

It has become clear from the hostile practices of the Ugandan regime in the region that it has become a source of instability in the Great Lakes region as exemplified by the military confrontations in which the regime has become involved with more than one neighbouring country. Many States in the region are facing serious security threats originating in Ugandan territory such as Ugandan support for terrorists, outlaws and mercenaries. The time has come for the international community to compel the Ugandan regime to desist from its threats to regional security and peace, its ongoing violations of the international laws and customs which govern relations between States, its wanton interference in the internal affairs of the States of the region, its continuing plunder of the resources of the people of the Congo who have suffered grievously at the hands of the Ugandan regime, and the occupation, plundering and despoliation of resources. After all that, the Ugandan regime makes naive attempts at cheap blackmail of the international community on unacceptable pretexts.

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Elfatih **Erwa**
Permanent Representative

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**Human rights questions: implementation of human rights instruments; human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms; comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action**

**Measures to eliminate international terrorism**

**Security Council**
**Fifty-sixth year**

# Letter dated 27 November 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a statement issued by an official source at the Ministry of Foreign Affairs of the State of Qatar on 23 November 2001, in which it expressed its deep concern about the fate of the Arab and other nationalities in Afghanistan (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 199 (a), (b) and (d) and 166, and of the Security Council.

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative

01-66382 (E) 281101

## Annex to the letter dated 27 November 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

## Qatar expresses concern for the fate of Arabs and persons of other nationalities in Afghanistan

The State of Qatar has expressed its deep concern at the possibility that many Arabs and persons of other nationalities in Afghanistan, and especially in the city of Kunduz, may have been massacred on the basis of their race or nationality, which would be incompatible with human values and with the principles of international humanitarian law and human rights.

The official spokesman for the Ministry of Foreign Affairs stated that, in telephone calls to Mr. Colin L. Powell, Secretary of State of the United States of America, and Mr. Amre Moussa, Secretary-General of the League of Arab States, His Excellency Sheikh Hamad Bin Jassem Bin Jabr Al Thani, Minister for Foreign Affairs, had transmitted Qatar's concern and anxiety concerning the whereabouts and safety of these persons, who must be accorded the rights guaranteed to them under the international conventions on prisoners of war.

The official spokesman appealed to the fraternal parties in Afghanistan to exercise self-restraint, to avoid bloodshed and to form a national government representing all groups and classes of the Afghan people.

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**Human rights questions: implementation of human rights instruments; human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms; comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action**

**Measures to eliminate international terrorism**

**Security Council**
**Fifty-sixth year**

## Letter dated 27 November 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a telephone interview of Sheikh Hamad bin Jassem bin Jabr Al Thani, Minister for Foreign Affairs of the State of Qatar, conducted by Al-Jazeera channel on 24 November 2001, concerning his call to the Northern Alliance troops to treat the captives from Taliban fighter and other groups as prisoners of war (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 119 (a), (b) and (d) and 166, and of the Security Council.

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative

01-66391 (E) 291101 291101

## Annex to the letter dated 27 November 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

### Statements of the Minister for Foreign Affairs of Qatar

Doha, 24 November 2001

His Excellency Sheikh Hamad bin Jassem bin Jabr Al Thani, Minister for Foreign Affairs, has expressed the deep concern of the State of Qatar for the fate of the thousands of Afghan, Arab and other combatants encircled in Kunduz, some of them having surrendered to Northern Alliance forces while the whereabouts of others remains unknown. The Minister voiced his fears at the manner in which the Northern Alliance forces were currently dealing with the critical situation in the city and region of Kunduz in north-eastern Afghanistan.

In a telephone interview with Al-Jazeera satellite television station, the Minister urged the Northern Alliance forces to treat all captured Taliban and other categories of combatants as prisoners of war in accordance with the Geneva Convention and the relevant norms of international law, cautioning that it would be a serious matter for the Alliance forces to adopt a policy of differentiation.

He indicated that His Highness Sheikh Hamad bin Khalifa Al Thani, beloved Amir of Qatar, had instructed him to monitor the prisoner issue and to communicate for that purpose with Mr. Colin L. Powell, United States Secretary of State, in order to convey Qatar's concern at the reported massacres of Arabs presently in Afghanistan, despite the fact that we know that not all of the captured combatants in Afghanistan are Arabs.

He asked for caution in dealing with the issue of these captured combatants. He said: "The United States Secretary of State shared my concern ... and he told me that the United States of America had communicated with all those concerned in the Afghan Northern Alliance and had requested them not to endanger the lives of the prisoners and not to massacre them or commit massacres in any other place in Afghanistan. ... We have asked a number of parties active in the international arena to bring pressure to bear in order to induce all the Afghan groups to avoid anything that might further complicate the situation." He confirmed that Qatar had obtained assurances from the United States in this regard and that the United States was taking our concern seriously.

In reply to a question concerning Qatar's communications with the League of Arab States on the same subject, the Minister stated that Qatar had spoken of the matter with the Secretary-General of the League, had informed him of the statement issued by its Ministry of Foreign Affairs and had put him in the picture with respect to its international contacts on the issue. He indicated that the Secretary-General of the League shared Qatar's concern for the safety of all prisoners in Afghanistan and its anxiety, based on the Islamic creed and international humanitarian and moral principles, that they should not be involved in any massacres.

He reaffirmed Qatar's neutrality on Afghan internal affairs and urged the Afghan parties to resolve their various issues in accordance with the norms of international law.